

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Four Strong Builders, Inc.

Petition No. 2001-0316-053-007

CONSENT ORDER

WHEREAS, Four Strong Builders, Inc. of Clifton, NJ (hereinafter "respondent") has been issued license number 000050 to practice as an asbestos contractor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. In or about March 2001, respondent was the licensed asbestos contractor for an asbestos abatement project at 901 Orange Avenue, West Haven, CT (hereinafter "the property"). Said project involved the removal of approximately 10,000 square feet of asbestos containing floor tiles in connection with the renovation of a building on the property.
2. On or about March 2001, in connection with the asbestos abatement project at the property, respondent failed to maintain all of the records required by §19a-332a-4 of the Regulations or Connecticut State Agencies (hereinafter "the Regulations") and to make those records available to the Department upon request in that respondent did not have a daily log of control of access to the work area(s) and did not maintain a project log indicating the procedures used during the abatement to comply with the Regulations.
3. On or about March 13, 2000, in connection with the asbestos abatement project at the property, respondent:

- a. failed to isolate the work area(s) from the non-work area(s) with airtight barriers attached securely in place in that a Department investigator observed that critical barriers were falling down and/or slit;
 - b. failed to provide negative pressure ventilation units with high efficiency particulate air (hereinafter "HEPA") filtration in sufficient number to allow at least one (1) work place air change every fifteen (15) minutes in that only fifty five percent (55%) of the required number of units were operating during the Department's inspection;
 - c. failed to ensure that no person leave a work area unless first decontaminated by showering, wet washing or HEPA vacuuming to remove all asbestos debris in that a Department investigator observed seven (7) workers exiting the work area without decontaminating themselves; and/or
 - d. failed to ensure that all asbestos abatement workers providing services at the work site were certified to do so by the Department.
4. The above described facts constitute grounds for disciplinary action pursuant to Chapter 400a and §§19a-332 and 19a-332a(b) of the General Statutes of Connecticut, taken in conjunction with the Regulations, §§19a-332a-1, 19a-332a-2, 19a-332a-4, 19a-332a-5(c), 19a-332a-5(h), 19a-33a-6(b), 20-440-1, 20-440-5(a) and 20-440-6(b).

WHEREAS, respondent, in consideration of this Consent Order has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and Chapter 400a of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and Chapter 400a of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives its right to a hearing on the merits of this matter.

2. Respondent's license number 000050 to practice as an asbestos contractor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of five thousand and five hundred dollars (\$5,500.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to its licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. This Consent Order is effective on the date this Consent Order is accepted by the Department.
7. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Department in which its compliance with this Consent Order or with Chapters 400a or 368l of the General Statutes of Connecticut, as amended, is at issue.
8. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that it may have under the laws of the State of Connecticut or of the United States.
9. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.

10. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
11. Respondent has the right to consult with an attorney prior to signing this document.


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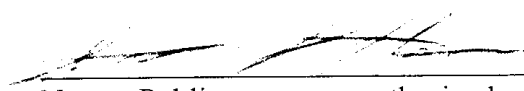
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I, Roger Cirica, President of Four Strong Builders, Inc., have read the above Consent Order, and I represent and warrant that I am fully authorized and empowered to bind said company. I hereby stipulate and agree to bind Four Strong Builders, Inc. to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

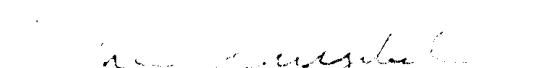

Roger Cirica, President

Subscribed and sworn to before me this 23rd day of August 2001.

STEVEN PANTOVICH
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 15, 2006


Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 23rd day of August 2001, it is hereby accepted.


Thomas H. Furgalack, Director
Division of Environmental Health

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